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PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/821,726	
	Filing Date	April 8, 2004	
	First Named Inventor	Michael W. GRAHAM	
	Group Art Unit	Not Yet Assigned	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	5	Attorney Docket Number	546322000305

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form - 1 pg IN DUPL	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition TO MAKE SPECIAL UNDER 37 CFR §1.102(d) - 2 pgs	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter - 1 pg
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney - 1 pg	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)
<input type="checkbox"/> Information Disci Stmt - ____ pgs PTO-1449 - ____ pgs	<input type="checkbox"/> Request for Refund	RETURN RECEIPT POSTCARD
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	Michael R. Ward MORRISON & FOERSTER LLP CUSTOMER 20872
Signature	<i>Michael R Ward</i>
Date	July 28, 2004
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 381 798 277 US, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: July 28, 2004	Signature: <i>[Signature]</i> ULIA OLSEN

EV381798277US



PTO/SB/17 (10-03)

Approved for use through 7/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**130.00****Complete if Known**

Application Number	10/821,726
Filing Date	April 8, 2004
First Named Inventor	Michael W. GRAHAM
Examiner Name	Not Yet Assigned
Art Unit	Not Yet Assigned
Attorney Docket No.	546322000305

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☒ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number**03-1952**Deposit  
Account  
Name**Morrison & Foerster LLP**

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)**0.00****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid	
58	-20 =	0 x	0.00	
Independent Claims	2	-3 =	0 x	0.00
Multiple Dependent				

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0.00**

\*\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**130.00****SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Michael R. Ward	Registration No. (Attorney/Agent)	38,651	Telephone	(415) 268-6237
Signature	Michael R. Ward	Date	July 28, 2004		

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JUL 2 8 2004  
PAT & TRADEMARK OFFICE 60135

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 381 798 277 US, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 28, 2004

Signature:

LILIA OLSEN

Docket No.: 546322000305  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Michael W. GRAHAM et al.

Application No.: 10/821,726

Confirmation No.: Not Yet Assigned

Filed: April 8, 2004

Art Unit: Not Yet Assigned

For: SYNTHETIC GENES AND GENETIC  
CONSTRUCTS

Examiner: Not Yet Assigned

**PETITION TO MAKE SPECIAL  
UNDER 37 CFR 1.102(d)**

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith is a Petition to Make Special the above-identified patent application.

In support of this Petition, the applicants submit the following statement(s):

1. The invention provides novel synthetic genes and genetic constructs which are capable of repressing, delaying, or otherwise reducing the expression of an endogenous gene or a target gene in an organism when introduced thereto.

2. The invention can be used to repress, delay, or otherwise reduce the expression of genes, such as genes involved in replication and reproduction, which are essential in the HIV-1 life cycle.

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3. By repressing the expression of genes involved in the HIV-1 life cycle, the invention will contribute to the treatment or prevention of HIV/AIDS.

Accordingly, applicant requests that this Petition to Make Special based on the contribution of this invention to the diagnosis, treatment, or prevention of HIV/AIDS under MPEP 708.02 X be granted and the application undergo accelerated examination.

Please charge our Deposit Account No. 03-1952 in the amount of \$130.00 covering the fee set forth in 37 CFR 1.17(h) or (i). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Deposit Account No. 03-1952**, under Order No. 546322000305. A duplicate copy of this paper is enclosed.

Dated: July 28, 2004

Respectfully submitted,

By Michael R. Ward  
Michael R. Ward  
Registration No.: 38,651  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, California 94105  
(415) 268-6237